2011 CHAPTER 22

*The Housing Executive*

**Functions of Executive in relation to energy brokering**

**19.**—(1) The Executive may submit to the Department a scheme for the making by the Executive of energy brokering arrangements.

(2) The Department may approve a scheme submitted under subsection (1) with or without modifications.

(3) The Executive may submit to the Department proposals for amending a scheme approved under subsection (2) or a scheme replacing any such scheme and subsection (2) shall have effect in relation to those proposals or a scheme replacing an existing scheme as they have effect in relation to a scheme.

(4) Subject to subsection (5), the Executive shall give effect to a scheme for the time being approved by the Department.

(5) The Executive may, with the approval of the Department, terminate a scheme under this section; but the termination of a scheme does not affect the continued operation of any arrangements made under the scheme.

(6) In this section "energy brokering arrangements" means arrangements which—

(a) are made by the Executive with an energy supplier;

(b) involve the making available by the energy supplier to premises occupied by tenants of the Executive of supplies of electricity, gas, oil or other means of producing energy (as the case may be) on terms set out in, or determined in accordance with, the arrangements.

(7) Those arrangements may also provide for the payment of sums to the Executive by the energy supplier concerned.

(8) Any sums received by the Executive by virtue of subsection (7) shall be used for the purposes of the functions of the Executive under this section or for such other purposes as the Department may approve.

(9) In this section "energy supplier" means—

(a) the holder of a licence under Article 10(1)(c) of the Electricity (Northern Ireland) Order 1992 (NI 1);

(b) the holder of a licence under Article 8(1)(c) of the Gas (Northern Ireland) Order 1996 (NI 2);

(c) a supplier of domestic heating oil;

(d) a supplier of any other means of producing energy.

**Functions of Executive in relation to community safety**

**20.**—(1) The Executive may take such action for enhancing community safety in any area as is compatible with the proper exercise of its functions in that area.

(2) Reference in this section to enhancing community safety in any area is to making the area one in which it is safer to live and work, in particular by the reduction of levels of crime and other anti-social behaviour.

**Power of Executive to enter into arrangements with other statutory authorities**

**21.**—(1) The Department may by regulations make provision for or in connection with enabling the Executive (on the one hand) and prescribed statutory authorities (on the other) to enter into prescribed arrangements in relation to the exercise of prescribed functions of the Executive and prescribed housing-related functions of the statutory authorities, if the arrangements are likely to lead to an improvement in the way in which those functions are exercised.

(2) The arrangements which may be prescribed include arrangements for or in connection with—

(a) the exercise by the Executive on behalf of a statutory authority of prescribed housing-related functions of the authority,

(b) the exercise by a statutory authority on behalf of the Executive of prescribed functions of the Executive,

(c) the provision of staff, goods, services or accommodation in connection with any arrangements mentioned in paragraph (a) or (b),

(d) meeting expenditure incurred in connection with the arrangements, including provision for the making of payments by a statutory authority to the Executive or by the Executive to a statutory authority.

(3) Regulations under this section may make provision—

(a) as to the cases in which the Executive and statutory authorities may enter into prescribed arrangements,

(b) as to the conditions which must be satisfied in relation to prescribed arrangements (including conditions in relation to consultation),

(c) for or in connection with requiring the consent of a Northern Ireland department to the operation of prescribed arrangements (including provision in relation to applications for consent, the approval or refusal of such applications and the variation or withdrawal of approval),

(d) as to the sharing of information between the Executive and statutory authorities.

(4) Any arrangements made by virtue of this section shall not affect—

(a) the liability of the Executive for the exercise of any of its functions,

(b) the liability of statutory authorities for the exercise of any of their functions, or

(c) any power or duty to recover charges in respect of services provided in the exercise of any functions of statutory authorities.

(5) A Northern Ireland department may issue guidance to the Executive and statutory authorities in relation to consultation or applications for consent in respect of prescribed arrangements.

(6) The reference in subsection (1) to an improvement in the way in which functions are exercised includes an improvement in the provision to any individuals of any services to which those functions relate.

(7) In this section—

"housing-related functions", in relation to a statutory authority, means functions of the authority which, in the opinion of the Department—

(a) have an effect on the housing of any individual,

(b) have an effect on, or are affected by, any functions of the Executive, or

(c) are connected with any functions of the Executive;

"prescribed" means prescribed by regulations under this section;

"statutory authority" means a body or person exercising functions under any Act of Parliament or Northern Ireland legislation.

(8) Regulations under this section—

(a) are subject to negative resolution;

(b) may contain such incidental, supplementary, transitional and saving provisions as appear to the Department to be necessary or expedient.

**Indemnification of members and officers of Executive**

**22.**—(1) The Department may by order make provision for or in connection with conferring power on the Executive to provide indemnities to some or all of its members and officers.

(2) Before making an order under this section, the Department must consult—

(a) the Executive, and

(b) such representatives of officers of the Executive and such other persons as the Department considers appropriate.

(3) An order under this section—

(a) is subject to negative resolution;

(b) may contain such incidental, supplementary, transitional and saving provisions as appear to the Department to be necessary or expedient.

**Changes to legislation:**
There are currently no known outstanding effects for the Housing (Amendment) Act (Northern Ireland) 2011, Cross Heading: The Housing Executive.